



1615
RECEIVED
OCT 03 2002

TECH CENTER 1600/2900
6/a

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant (s): **Keith P. Johnston, et al.**

Serial No.: **09/808,332**

Group Art Unit: **1615**

Filed: **March 14, 2001**

Examiner: **Unknown**

For: **PREPARATION OF DRUG PARTICLES USING EVAPORATION
PRECIPITATION INTO AQUEOUS SOLUTIONS**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
FIRST CLASS MAIL WITH SUFFICIENT POSTAGE IN AN ENVELOPE
ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, DC 20231, ON:

September 26, 2002

DATE OF DEPOSIT

Angela R. Brooks

PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE

Angela R. Brooks

SIGNATURE OF PERSON SIGNING CERTIFICATE

September 26, 2002

DATE OF SIGNATURE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE A

In response to the Official Action, paper 5, mailed on July 1, 2002, Applicants respectfully request that the following amendments be entered.

Amendments

Please amend the claims as follows:

1. (Amended) A method for preparing poorly water soluble drug particles comprising the steps of:
dissolving a drug in at least one organic solvent to form a drug/organic mixture;
spraying the drug/organic mixture via an atomizing device into an aqueous solution, wherein the drug/organic mixture is sprayed at or below the liquid level of the aqueous solution;
and
concurrently evaporating the organic solvent in the presence of the aqueous solution to form an aqueous dispersion of the drug particles.

27. (Amended) Poorly water soluble drug particles having an average particle diameter of from 50 nanometers to 20 microns, the drug particles being prepared by a process comprising the steps of:
dissolving the drug in at least one organic solvent to form a drug/organic mixture;

0908332

10/21/2002 C8ETAND0 00000003 041512
01 FC:1202 16.00 CH